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SUBJECT: Update on Niger's Political Situation

Ref: a) Niamey 653 b) Niamey 646 c) Niamey 640
d) Niamey 597 e) Niamey 593 f) Niamey 584

NIAMEY 00000684 001.2 OF 002

¶1. Summary: On September 13, fifty former National Assembly members who were arrested for allegedly embezzling funds from State coffers denounced President Tandja for making false accusations against them. In a separate, yet similar case, opposition leader Mahamadou Issoufou appeared before a tribunal judge in connection with his alleged involvement in embezzling funds from the National Assembly. On September 15, the Court of Appeals released civil society leader Marou Amadou; since then, Amadou has gone missing, and there are no confirmed sightings of his whereabouts. Meanwhile, an AU Pan-African Parliamentary delegation is in Niger to meet with the main protagonists of the political crisis. End summary.

Ex-Parliamentarians Reject Accusations of Fraud

¶2. On September 13, over 50 former National Assembly members issued a statement denouncing their recent arrests, court cases, and travel bans imposed by the GON (refs a, b, and c). The former Assembly members accused the President of seeking revenge for their refusal to agree to a three-year extension to his original mandate, forcing a constitutional referendum. They added that because they failed to carry out the President's wishes, National Assembly members suddenly found themselves alleged to be guilty of embezzling funds from state coffers.

¶3. The former lawmakers concluded their statement by saying that they "will never accept the insult incurred through this fallacious accusation of embezzlement of public funds from people whose families are involved in corruption scandals estimated at several million dollars and shares in various companies."

¶4. The following is a translation of the list of demands made by the former lawmakers.

(Begin text)

Following the recent accusations by the GON, we wish to state that we:

--Reject the accusation against them as being fallacious, without any legal grounds, and for the sole purpose of settling political scores;

--Denounce their placement under house arrest within the city of Niamey as an infringement of their basic freedom of movement;

--Call to the nation's attention the deliberate option taken by the President and his new friends to cultivate discord and endanger the country's peace and stability;

--Welcome the decisions made by the ECOWAS parliament through its resolution of 09/09/2009 and call on ECOWAS, the African Union, and the UN for a timely treatment of Niger's case; and

--Request political parties, labor unions, civil society associations, and all Nigerien democrats to mobilize.
(End text.)

Opposition Leader Appears Before the Court

15. On September 14, Mahamadou Issoufou, president of the Nigerien Party for Democracy and Socialism (PNDS), and Niger's opposition leader, appeared before the investigating judge at the Niamey Tribunal in connection with the ongoing National Assembly case (refs a, b, and c). The judge charged Issoufou with receiving undue payments and misuse of public funds, and subsequently granted him provisional release. When he stepped out of the court, Issoufou was hailed by supporters and swarmed by reporters. He stated that the whole case was a political maneuver to intimidate and denigrate those who oppose President Tandja's plan to remain in office beyond December 22. He accused President Tandja of fomenting a coup and preparing to establish a monarchy. He indicated that President Tandja's regime would have to face international sanctions likely to affect the next budget, and that the opposition would continue to fight President Tandja's dictatorship.

16. The judge also presided over the case involving Hamid Algabid, president of the political party Rally for Democracy and Progress (RDP), and incumbent High Commissioner for Territorial Collectivities president. The judge pressed the same embezzlement charges and released Algabid, one of the political figures who supports President Tandja's project to remain power.

Civil Society Activist Released on Bail

NIAMEY 00000684 002.2 OF 002

17. On September 15, the Niamey Court of Appeals examined the case of Marou Amadou, president of the United Front for the Preservation of Democratic Gains (FUSAD), who was arrested and jailed on charges of "management of an unauthorized organization" (refs d, e, and f). Marou's lawyers' filed an appeal against the state prosecutor's decision to challenge the lower court judge's ruling that granted him provisional release on August 28. The Court of Appeals, after reviewing the request, granted Amadou provisional release. Amadou left the Koutoukale maximum security prison on September 15 in a motorcade of fellow civil society supporters and political party representatives blowing their horns, making victory signs, and chanting "the fight continues." Amadou and other civil society leaders thanked all who expressed their moral support for him and pressed for his release, namely citing the United States, France, Denmark, the European Union, and ECOWAS.

18. On September 16, Radio France International (RFI) and private radio stations interviewed Amadou, wherein he criticized President Tandja. Subsequently, on September 17, Amadou moved from his house to a secure, undisclosed location with the assistance of friends and supporters. According to Embassy contacts, Amadou was frightened by a large contingency of police and security officials outside his home, which prompted his sudden move. Many believe that because of the strong criticism that Amadou leveled against President Tandja, the police were there to arrest him on new charges.

Pan-African Parliamentary Delegation Visits Niamey

19. In the midst of the ongoing political developments, a delegation from the African Union (AU) Pan-African Parliament is on a September 14-19 visit to Niamey to find ways to resolve the Nigerien political crisis. The delegation met with President Tandja, the Prime Minister, the Chadian Ambassador (as dean of the diplomatic corps), the EC Head of Delegation, the U.S. Ambassador and team (on 9/19 - septel), several opposition political parties, the media, and civil society organizations. This is the fifth high-level delegation to Niger since May 2009; although the public welcomes the visits, many wonder if such missions will lead to a solution in the near term.

